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COMMISSIONERS

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AZ CORP COMMISSION
DOCKET CONTROL

BEFORE THE ARIZONA CORPORATION COMMISSION

IN THE MATTER OF THE APPLICATION
OF RIGBY WATER COMPANY FOR
APPROVAL OF TRANSFER OF ASSETS
AND CONDITIONAL CANCELLATION OF
ITS CERTIFICATE OF CONVENIENCE
AND NECESSITY

DOCKET NO. W-01808A-10-0390

**ACKNOWLEDGEMENT OF
PAYMENT**

Applicant, Rigby Water Company ("Rigby"), and Intervenor, Estate of Charles J. Dains ("Dains"), hereby acknowledge that the City of Avondale ("Avondale") has timely paid in full (1) the amount Rigby was ordered in Decision 72252 (Docket No. W-01808A-09-0137) and as a condition to Decision 72387 entered in this Docket No. W-01808A-10-0390 to pay to Dains for reimbursement of an MXA; and (2) the remaining amount of the Lump Sum Settlement Amount. Therefore, Avondale has satisfied the requirements of the three-party agreement with Dains; the up-front settlement payment obligations of the Settlement Agreement and First Addendum between Rigby and Avondale; and the payment conditions to Decision 72387.

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Arizona Corporation Commission

DOCKETED

SEP 13 2011

DOCKETED BY

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1 A copy of the Final Order of Condemnation, once it is entered, will be provided for
2 the docket in this matter as required by Decision 72387.
3

4 DATED this 12 day of August, 2011.
5

6 THE ESTATE OF CHARLES J. DAINS
7

8 By Ann Marie Dains
9 Its: _____
10

11 CRAIG A. MARKS, PLC
12

13 By Craig A. Marks
14 Craig A. Marks
15 10645 North Tatum Boulevard
16 Suite 200-676
17 Phoenix, Arizona 85028
18 Attorney for the Estate of Charles J. Dains
19

20 RIGBY WATER COMPANY
21

22 By _____
23 Its: _____
24

25 BRYAN CAVE LLP
26

27 By Steven A. Hirsch
28 Steven A. Hirsch, #006360
Stanley B. Lutz, #021195
Two N. Central Avenue, Suite 2200
Phoenix, AZ 85004-4406
Attorneys for Rigby Water Company

1 A copy of the Final Order of Condemnation, once it is entered, will be provided for
2 the docket in this matter as required by Decision 72387.

3
4 DATED this 5th day of August, 2011.

5 THE ESTATE OF CHARLES J. DAINS

6
7
8 By _____

9 Its: _____

10 CRAIG A. MARKS, PLC

11
12
13 By _____

14 Craig A. Marks
15 10645 North Tatum Boulevard
16 Suite 200-676
17 Phoenix, Arizona 85028
18 Attorney for the Estate of Charles J. Dains

19 RIGBY WATER COMPANY

20 By Judy A. Lopez

21 Its: President

22
23 BRYAN CAVE LLP

24
25 By [Signature]

26 Steven A. Hirsch, #006360
27 Stanley B. Lutz, #021195
28 Two N. Central Avenue, Suite 2200

Phoenix, AZ 85004-4406
Attorneys for Rigby Water Company

ORIGINAL and 13 copies of the foregoing
filed this 13th day of September, 2011 with:

Docket Control Division
Arizona Corporation Commission
1200 West Washington Street
Phoenix, Arizona 85007

COPIES of the foregoing hand-delivered
this 13th day of September, 2011, to:

Sarah N. Harping, Esq.
Administrative Law Judge
Hearing Division
Arizona Corporation Commission
1200 W. Washington Street
Phoenix, AZ 85007

Steve Olea
Director, Utilities Division
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